

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Saint Paul District

FILE NUMBER: 2007-2154-JJY

REGULATORY PROJECT MANAGER: Joseph Yanta **Date:** Apr. 24, 2007

PROJECT REVIEW/DETERMINATION COMPLETED: **In the office (Y/N)** Y **Date:** Apr. 24, 2007

At the project site (Y/N) **Date:**

PROJECT LOCATION INFORMATION:

State: Minnesota

County: Hennepin

Center coordinates of site by latitude & longitude coordinates: Lat: 45.066315 Lon: -93.6186001

Approximate size of site/property (including uplands) in acres: 52.87 acres

Name or waterway of watershed: Isolated wetlands

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands		four							
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?				X	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: **Preliminary** **Or** **Approved** **X**

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite):

The four wetlands are isolated basins with no inlets or outlets, surrounded by upland. The wetlands are within Hennepin County, Minnesota. In addition, the wetlands have no surface connections, either direct or adjacent, that are part of a tributary system to an interstate or international water. These wetlands have not been used for recreational or interstate commerce or other purposes. The site was utilized for agricultural cultivation.